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From: Turley, Jennifer

Sent: Thur 2/13/2014 3:41:06 PM

Subject: Water Law News for February 13, 2014



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tbn0.gstatic.com/images?q=tbn:ANd9GcRN9bpm12acAzW1AGcHT7RdHbOs0JSkOJn1FfjRgHelJFdzNLI-**Water Law News**

for February 13, 2014



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Drilling

Fracking Could Unlock Natural Gas Potential For Maryland, With High Risks, Study Finds

Significant amounts of natural gas could be extracted from Maryland's western panhandle using hydraulic fracturing, but doing so would pose high risks of environmental damage, according to a study released Feb. 12 by the Chesapeake...

Drinking Water

<u>Utilities Must Understand Challenges</u> <u>Leading to More Rules, Researcher Says</u>

Drinking water utilities must understand upcoming challenges to providing safe water and adapt because many of these challenges may evolve into regulatory requirements, a water researcher said....

Enforcement

Groups Sue Water Utility Over Discharges Of Sediment, Aluminum Into Potomac River

The Chesapeake Bay Foundation and Potomac Riverkeeper filed a lawsuit Feb. 12 against the Washington Suburban Sanitary Commission for allegedly allowing one of its Maryland water filtration plants to illegally discharge sediment and aluminum...

Water Pollution

New York Bill Would Ban Microbeads
In Personal Care Products to Protect Waters

New York could become the first state in the nation to ban the use of microbeads in products such as soap and shampoo under legislation introduced Feb. 11....

Water Pollution

Riverkeeper Gives EPA Until April 17 To Issue Final Cooling Water Intake Rule

The group Riverkeeper has agreed to give the Environmental Protection Agency another extension, until April 17, to issue a final rule on the design, location and construction of cooling water intake structures at more than 1,000 power plants...

Water Resources

Farm Bill Provides \$150 Million for Small Systems

Small and rural water and wastewater utilities will receive \$150 million for drinking water and wastewater infrastructure under the newly enacted farm bill. The money will be distributed through loans by the U.S. Department of Agriculture's...



inepa.com

Inside EPA's Weekly Report, 02/14/2014

http://insideepa.com/Inside-EPA/Inside-EPA-02/14/2014/menu-id-67.html

Water Utilities Issue Cybersecurity Tool In Concert With Obama Guidance

The water utility industry -- the only critical infrastructure sector for which EPA has cybersecurity authority -- has released guidance on how the sector's managers and operators can reduce the invulnerability to cybersecurity attacks with the intent of providing industry-specific information to complement the Obama administration's Feb.

Advocates Urge EPA To Drop Plan For Raising Bar On Water Determinations

Environmentalists are urging EPA to drop its proposal that would raise the bar for when the agency determines that state water quality standards are inadequate and require federal preemption, charging the plan is "completely contrary" to Clean Water Act (CWA) requirements that the agency review state standards.



WETLANDS:

Mitigation banks see green in Marcellus drillers' permit crunch

Annie Snider, E&E reporter

Published: Wednesday, February 12, 2014

Second of two stories on wetlands in Marcellus Shale states. <u>Click here</u> to read the first story.

PITTSBURGH -- Conor Gillespie moves streams.

These days, he has plenty of work in southwest Pennsylvania, returning creeks to their floodplains and recreating wetlands along their banks.

Scanning a denuded winter landscape of hilly farms, he pointed to a stream that had years ago been channelized and pushed to the edge of a field so it would run straight

along the road. Without natural twists and turns to slow the water, the stream had cut a deep gash.

"Farmers wanted as much farmable land as possible," he said. "A stream doesn't want to do that. It gets eroded banks and becomes degraded."

Gillespie last year created a new, wandering path through the field for a stretch of the stream, complete with nooks and crannies to serve as fish habitat. It was an effort that was one part science, two parts art -- and all-around expensive.

But Gillespie's employer, Resource Environmental Solutions LLC, or RES, believes its investment in 34 restoration projects like this in Pennsylvania, as well as one in West Virginia, will bring a major payoff.

The first mitigation banking company to get approval from Pennsylvania to sell credits for restoration work, RES has its sights on big customers: oil and gas companies.

Unlike the arid Southwest, where drilling companies are most at home, the Marcellus Shale in Pennsylvania, West Virginia, Ohio and New York has abundant water. The formation underlies 681,697 acres of wetlands and 64,098 miles of streams in Pennsylvania alone, according to federal data.

Oil and gas drillers want to work in those areas. The Army Corps of Engineers, which oversees wetland permitting under Section 404 of the Clean Water Act, reports skyrocketing workloads in Marcellus areas.

The Army Corps' Baltimore District, which is responsible for the Susquehanna River watershed, a large swath of central Pennsylvania, had received 785 general permit applications from July 2011 through mid-December of last year, up from 73 applications that it received during the entire five-year period that preceded that.

Under Section 404, homebuilders, miners and other developers are supposed to avoid damaging wetlands and streams -- protected as buffers for floods, cleansers for pollutants and habitat for wildlife -- but the oil and gas industry continues to hit water with well pads, roads and pipelines.



Grave Creek mitigation

[+] RES's Grave Creek mitigation site, located just east of Cameron, W.Va., was developed as an offset for a construction project permit. Before, during and after shots above show how the project returned a degraded, channelized stream to a more natural, meandering path. Photo courtesy of Resource Environmental Solutions.

When those impacts are more than what regulators consider minimal, a company is supposed to offset, or mitigate, the damage by creating new wetlands on-site or restoring degraded marshes and streams elsewhere.

The company can do that restoration itself, or it can buy credits from a mitigation bank like RES's that has already done the work. In some states, permittees also have the option of paying into a state fund that pays for restoration work, but Pennsylvania's program closed last year.

Elliott Bouillion, RES's Houston-based CEO, said oil and gas companies aren't interested in getting into wetland restoration.

"They have to be focused on their core competency," he said. "What they want is reliable people to help them deal with the environmental offsets. It's what we know; it's what we do."

Both oil and gas companies and mitigation banking firms hold prices close to their vests and costs vary widely by geography and resource type. A 2011 report from Ecosystem Marketplace, a nonprofit research group that tracks markets for ecosystem services, found that wetlands restoration credits averaged \$74,535 an acre, but in areas with high land prices, hefty demand and a small supply, the cost could reach as high as \$653,000 an acre. Stream credits averaged \$260 a linear foot.

Now, people who follow wetlands regulations and the oil and gas industry closely say

that a looming federal regulation could create a lot more demand for RES's product.

U.S. EPA and the Army Corps are expected to propose a new rule to expand the number of streams, creeks, bogs and marshes that receive Clean Water Act Protections. The regulation is aimed at clearing up a decade's worth of confusion about the reach of the law following two confused Supreme Court decisions (<u>E&ENews PM</u>, Sept. 17, 2013).

Environmentalists have lobbied hard for a rule change, arguing that wetlands and streams provide vital habitat, filter pollution and help store water during storms. Extending jurisdiction would likely make it harder for developers to obtain permits for impacts, and increase the amount of mitigation work that permittees must fund.

But Brent Fewell, who served as EPA deputy assistant administrator during the George W. Bush administration and is now a board member of the nonprofit U.S. Water Alliance, said that for expanded jurisdiction to work, industry will need some good options for complying while still doing business.

"It is going to be incredibly challenging for communities and developers to manage land unless there is greater certainty on the permitting side and alternatives to on-site mitigation," he said. "Mitigation banking is going to become increasingly important."

Complex regulatory landscape

In 2001, a panel of biologists, ecologists and other researchers did a major review of the effectiveness of the country's protections for wetlands and streams. In their National Research Council <u>report</u>, the scientists laid out major problems: The long-standing federal goal of "no net loss" of wetlands was not being met. Restoration work that was required by permits was often not being done. Even when it was, the projects frequently failed.

Regulators had long thought that it would be best to do restoration work as close as possible to where the damage it was compensating for occurred. But the National Research Council's panel said that wasn't always true.

Seven years later, the Army Corps finalized a major new regulation on mitigation that encouraged banking above other approaches. Restoration projects tend to work best when they happen on a larger scale, the thinking was, so by adding a number of disparate impacts together, banks can restore a large stretch of a stream or many acres of wetlands, creating a bigger ecological boon than small, one-off projects would.

Banks are also easier for regulators to monitor.

All things being equal, industry also tends to prefer wetland banking. Part of what a

company is buying when it purchases a mitigation credit from a bank is the transfer of liability. The banker assumes responsibility for maintaining the mitigation project, and if something goes wrong, it's the banker that is on the hook with regulators, not the permit holder.

Purchasing credits from a bank also speeds permit applications, according to analysis from the National Mitigation Banking Association. Its review of Army Corps permitting data found that applications for a nationwide permit using mitigation banking credits waited an average of 70 days, as opposed to 547 days if the application proposed that the permit holder do the mitigation project itself on another site.

But for all the excitement around mitigation banking, wetland banks are not uniformly established across the country.

"There's some areas where mitigation banking has really taken off and done really well, and then there are others where for policy or regulatory reasons or culture, they haven't," Fewell said.

Many veteran regulators are still skeptical of wetland bankers because some early "cowboys" in the field did poor work, said David Urban, director of operations for Ecosystem Investment Partners, a private equity firm that funds mitigation banks. He said the Army Corps holds great power over whether banking will be feasible in a region, for instance with decisions about the size of the service area that a mitigation bank can work within.

And with regulators from three Army Corps district offices -- in Philadelphia, Pittsburgh and Baltimore -- operating in the state, Pennsylvania poses a particular challenge for bankers.

It took RES about three years to hammer out a framework with Army Corps and state regulators for how its credits would be produced, counted, monitored and sold in Pennsylvania. Other bankers who have been working on it for years are still awaiting sign-off.

Meanwhile, the state is pondering a large shift in how it figures wetland-mitigation credits.

Nationally, the trend has been away from using ratios to calculate wetland mitigation toward methods that attempt to capture the functions that are being lost. In other words, instead of requiring the restoration of 3 wetland acres to compensate for damage to 1 acre, a functional method would require that restoration projects replicate the range of jobs that the destroyed wetland does for the environment. That shift can cause major problems for mitigation bankers who built their businesses around ratios.

"Mitigation banking is mitigation in advance," said George Kelly, director and founder of Environmental Banc & Exchange LLC. "You are making investments based on a set of standards, but if you don't have those standards in place, you run a major risk."

'Oh, I can fix that'

Karen Bennett, a lawyer at the Washington, D.C., firm Hunton & Williams LLP who has represented the coal industry on permitting issues, contends that mitigation requirements are a major missing piece in the ongoing debate about the reach of the Clean Water Act.

Right now, she said, few companies see the value in fighting regulators on jurisdictional calls about whether a tract is a protected wetland or not. Usually, she said, permit applicants accept what the Army Corps decides about whether an individual stream or wetland qualifies for protection.

But, she said, that might change if mitigation costs rise or a region doesn't have enough banks to create competition and bring costs down.

"I think the more pressure there is and the more expensive mitigation gets and the more onerous that this mitigation tail becomes, the more people are going to reconsider that they're just going to accept everything that EPA and the corps is going to say about jurisdiction," she said.

On the other hand, some in the mitigation banking industry argue that regulators will be more likely to accurately account for impacts in the permitting process if mitigation banks are in place.

Tara Allden, regulatory manager with the Raleigh, N.C.-based mitigation banking firm Restoration Systems LLC, which has been working to set up a bank in northeast Pennsylvania, said the Army Corps can be reluctant to protect a resource if industry doesn't have a structure in place for mitigation.

"If there are good mitigation options available, the Corps of Engineers is going to be more apt to require mitigation, but they don't, in my opinion, feel they can say you have to do this if there's no available way for the permittee to meet it," she said.

But, Joy Zedler, an ecologist at the University of Wisconsin, Madison, who chaired the 2001 National Research Council panel on mitigation, said questions are being raised in the scientific community about the environmental benefits of mitigation.

Emerging science is proving some long-standing assumptions about restoration wrong, she argued.

For instance, having thick vegetation at a wetland site is considered a best management practice because it was assumed that all that vegetation would help filter nutrient pollution and provide clean water, she said. But in a project she is working on with

colleagues to measure six wetland functions over a two-year period, Zedler said they found that the most dense cattail wetland that they measured was the worst at filtering pollution.

"So, there's a big question mark there as to whether or not the kinds of wetlands that we're producing, which are often nutrient-rich or loaded with cattails or other invasive species, are actually functioning to clean water, or whether they are contributing in some way to poor water quality," she said. She acknowledged, though, that some regulators put limits on the amount of invasives a restored site can have.

Mitigation banking can be a "very positive thing," Zedler said, but she stressed that it's also important to recognize the limits of our current understanding.

"It's just too tempting to assume that we can compensate fully," she said. "By setting up these various mechanisms for compensation, we actually make it easier for there to be discharges of materials into wetlands because there's always that attraction of, 'Oh, I can fix that."

NOAA:

Senate passes bill to put benefits for uniformed officers on par with those of military

Emily Yehle, E&E reporter

Published: Wednesday, February 12, 2014

The uniformed officers who conduct fishery surveys and maintain buoys for the National Oceanic and Atmospheric Administration would see changes to their benefits under a bill that the Senate unanimously passed yesterday.

The bill -- from Alaska Sen. Mark Begich (D) -- aims to bring the NOAA Commissioned Officer Corps more in line with the country's six other uniformed services. The corps comprises a little more than 300 officers, who are tasked with operating ships and aircraft for NOAA.

In a statement, Begich contended that the bill would help the corps improve diversity and retain female employees, through such changes as allowing senior officers to take unpaid sabbaticals and return later to the same rank.

The corps, he said, is integral to Alaska's main industries: fishing and oil and gas development.

"We rely on the NOAA Corps to chart shipping routes and survey fish populations. As we expand activity in the Arctic, we will rely on the Corps even more for baseline scientific research in that region," said Begich, who is chairman of the Senate Commerce, Science and Transportation Subcommittee on Oceans, Atmosphere, Fisheries and Coast Guard. "We need to attract the best and brightest young men and women to the Corps and ensure that we retain knowledgeable senior officers."

The "NOAA Commissioned Officer Corps Amendments Act," <u>S. 1068</u>, now goes to the House. Its fate is uncertain; a similar bill passed the Senate last year but made it no further.

Among other things, the bill would implement a few incentives available at other uniformed services, such as an education loan repayment program. Unpaid sabbaticals would allow senior officers to leave for a few years to start a family without losing their positions. And it uses the Armed Forces as a model for new benefits, such as military family programs.

The bill would also reduce officer pay while they are in training and set forth consequences for not fulfilling service requirements.

Two Republicans signed on as co-sponsors: Mississippi Sens. Roger Wicker and Thad Cochran.

INVASIVE SPECIES:

Texas Republicans float bill to allow pumping from mussel-infested lake

Jessica Estepa, E&E reporter

Published: Wednesday, February 12, 2014

Two House Republicans yesterday reintroduced a bill that would exempt a Texas water district and utility from the Lacey Act to allow them to pump water out of a lake infested with invasive mussels.

H.R. 4032, sponsored by Texas Reps. Ralph Hall and Pete Sessions, would allow the North Texas Municipal Water District and the Greater Texoma Utility Authority to transfer water out of Lake Texoma on the Oklahoma-Texas border. Pumping was halted in 2009 after the lake became overrun with zebra mussels.

The Lacey Act bans the movement of invasive species over state lines, so exempting the water district and utility from the law would allow the water transfers to resume.

The Greater Texoma Utility Authority has vowed to build a pipeline that would transfer water out of the lake to a treatment facility in order to remove any zebra mussels.

"Such a conveyance system would provide safe and dependable means for the district to access water they have a legal right to while ensuring, with 100 percent reliability, that zebra mussels will not be transferred to Texas waters," Sessions said at a 2012 hearing for the last version of the measure.

Both the House Natural Resources Committee and the full House passed the 2012 version of the bill by voice vote, but it was never taken up by the Senate. The Obama administration came out against the measure, contending that it would set a bad precedent for federal law.

The bill has been referred to the Natural Resources panel and the House Judiciary Committee.

WILDLIFE:

Launch pad plan in Fla. pits enviros vs. space buffs

Published: Wednesday, February 12, 2014

Environmental groups are unhappy over Florida's plan to build a commercial spaceport in a federal wildlife refuge.

Critics say building the space launch complex inside the Merritt Island National Wildlife Refuge could harm the area's 18 endangered species and block public access to parts of the park.

"It's a very pristine, natural area. [We] don't have that anywhere else in Florida," said Ted Forsgren, a member of the Coastal Conservation Association of Florida.

Supporters say the spaceport would take up 200 acres of the 140,000-acre wildlife refuge and replace some of the jobs that were lost when NASA shuttered its space shuttle program in 2011.

The space shuttle program at Kennedy Space Center and Cape Canaveral Air Force Station employed around 8,000 people near the refuge.

Several companies are interested in the spaceport project, including Blue Origin LLC, a rocket company owned by Amazon founder Jeff Bezos, and SpaceX, which is owned by Tesla Motors Inc. founder Elon Musk (Irene Klotz, Reuters, Feb. 11). -- **DB**

WILDLIFE:

Efforts to protect oystercatcher begin to pay off

Published: Wednesday, February 12, 2014

A collaboration among 35 nonprofits and government agencies from Texas to New England has begun to pay off for a distinctive shorebird.

The American oystercatcher's population has increased to about 11,300 along the Atlantic and Gulf coasts from an estimated 10,800 a few years ago.

"That's a huge victory. We weren't expecting that kind of increase," said Shiloh Schulte, a scientist at the nonprofit Manomet Center for Conservation Sciences in coastal Massachusetts and coordinator of the American Oystercatcher Working Group, which led the conservation efforts.

Even so, the bird remains a "species of concern" in some states, like New Jersey.

Oystercatchers, with their flat orange bills used to open shellfish, nest in open beaches along barrier islands. Their population has suffered from human encroachment, predator attacks and rising sea levels (James M. O'Neill, <u>Bergen [N.J.] Record</u>, Feb. 10). -- **WW**

OCEANS:

Critics denounce nickel refinery over undisclosed dumps into Great Barrier Reef

Published: Wednesday, February 12, 2014

Government documents obtained by an environmental group show a nickel refinery has released toxic wastewater into the Great Barrier Reef marine park even though such discharges are banned.

The Queensland Nickel refinery, owned by resource magnate and Australian Parliament member Clive Palmer, discharged 516 tons of nitrogen into the protected area in 2011 and had an earlier unauthorized discharge in 2009. The company has said it needs to pump excess wastewater into the reef so it doesn't overflow at the plant, but the authority that manages the Barrier Reef has twice rejected the company's attempts to have the practice approved.

Regulators believed there were "ongoing problems with capacity of the water management system," according to the documents.

The nickel refinery produces about 30,000 tons of nickel and 1,500 tons of cobalt per year and employs about 1,000 workers. The plant is allowed to release waste into the Great Barrier Reef because its discharge pipe was installed before the area was declared a World Heritage Site in 1981, but Queensland Environment Minister Andrew Powell said it hadn't been used since 2011.

Palmer defended his business, saying it had an "excellent" environmental record and hadn't faced enforcement action over the discharges (Oliver Milman, London Guardian, Feb. 11). -- **SP**

WATER POLLUTION:

Chemical level likely low at W.Va. slurry spill, coal company says

Manuel Quiñones and Jason Plautz, E&E reporters

Published: Wednesday, February 12, 2014

Patriot Coal Corp. says levels of MCHM, a key chemical of concern, were likely low at yesterday's coal slurry spill in West Virginia.

A broken pipe spewed an estimated 100,000 gallons of polluted water into Fields Creek from a Patriot coal preparation plant south of the state capital of Charleston yesterday.

The West Virginia Department of Environmental Protection said the slurry likely contained MCHM, the same chemical that spilled into the Kanawha River last month and tainted drinking water for hundreds of thousands of residents.

"The coal slurry material is primarily a mixture of fine coal, rock and water," Patriot said in a statement about the latest spill.

"Recent testing initiated by the Kanawha Eagle mining complex confirmed that the level of MCHM is far below the 1 part per million screening level set by the Centers for Disease Control and in most instances was non-detectable," the company said.

State regulators say the broken pipe may have been leaking for hours before workers noticed. Patriot said employees notified DEP and halted slurry pumping as soon as they discovered the problem.

"Containment activity began immediately at the site and is continuing in Fields Creek and is our top priority," Patriot said. "Cleanup activities are underway and will continue until state regulatory officials determine the spill is remediated."

Environmental advocates have for years expressed concern about the safety of slurry facilities. The Office of Surface Mining is considering new rules for impoundments.

Sen. Jay Rockefeller (D-W.Va.), who has become more outspoken about environmental

issues in his state in recent months, said, "Coming on the heels of last month's chemical spill, we are all rightly concerned about our rivers. Slurry has absolutely no place in our waterways or environment."

The senator added, "Containment, damage assessment and remediation must happen immediately. While details about this incident are still forthcoming, I am monitoring the situation closely and stand ready to help."

Chemical, coal ash spills

Concerning last month's chemical spill, West Virginia Gov. Earl Ray Tomblin (D) yesterday said the Federal Emergency Management Agency had denied the state's request for emergency protective measures. Tomblin said he would appeal the decision with the support of other state politicians, including the two U.S. senators.

In a <u>letter</u> to the governor Monday, FEMA Deputy Associate Administrator Elizabeth Zimmerman said the spill "was not of such severity and magnitude as to warrant grant assistance under this emergency declaration." The agency has provided bottled water and other assistance to the affected communities.

In a statement, Tomblin said that he was "extremely disappointed" by the response and that he shared "the frustration and anger of West Virginians who have endured this crisis."

"We are committed to providing the detail necessary to demonstrate the assistance needed by the public safety agencies that have provided support to citizens since this crisis struck more than one month ago," Tomblin said.

The Jan. 9 spill of a mixture containing the coal-scrubbing chemical MCHM left parts of nine counties without water, and even a month later, residents say they are concerned about the safety of the water supply and the costs of using bottled water.

The state has 30 days to file its appeal.

In North Carolina, where Duke Energy Corp. earlier this week plugged a broken pipe that spewed coal ash into the Dan River, the Sierra Club is running <u>newspaper ads</u> against the company's ash impoundments.

Yesterday the North Carolina Department of Environment and Natural Resources announced a new coal ash task force to review disposal facilities in the state.

MINING:

Minn. regulators attempt to assuage fears over copper mine

Published: Wednesday, February 12, 2014

Minnesota's mining regulators attempted to calm fears from legislators about a proposed \$650 million copper mine during a meeting yesterday.

Jess Richards, director of lands and minerals for the state Department of Natural Resources, said the state's laws are strong enough to protect taxpayers from pollution and cleanup expenses linked to the PolyMet Mining Corp. mine.

He made the remarks during a heated six-hour hearing on the planned project. Lawmakers also discussed "financial assurance" that would provide funding in case of environmental or financial problems with the mine.

The open-pit copper mine proposed for Minnesota's Iron Range would create an estimated 350 long-term mining jobs and hundreds of temporary construction jobs. Some worry, however, about the environmental risks of mining copper, which is drawn from ore that contains sulfides.

The mining operation likely would need water treatment plants to operate for decades or centuries after the mine closes (Josephine Marcotty, <u>Minneapolis Star Tribune</u>, Feb. 11). -- **WW**

LOUISIANA:

More residents support wetlands restoration now than 10 years ago -- poll

Published: Wednesday, February 12, 2014

A recent survey from a conservation nonprofit found the number of Louisianans who support restoring coastal wetlands increased over the last decade.

Of 400 randomly sampled Louisianans, 74 percent agreed that "saving our state's coast is the most important issue of my lifetime." The number has increased from 43 percent when a similar survey was conducted in 2003.

The support was bipartisan, with 85 percent of Democrats, 74 percent of Republicans and 70 percent of independents agreeing with the statement.

A fear of flood insurance increases contributed to the survey results, said Val Marmillion, managing director of America's WETLAND Foundation, which commissioned the study.

"Land loss is directly related to the possible insurance rate hikes, and people feel like the federal government has a responsibility to help coastal communities become more resilient," Marmillion said.

The survey also found that 64 percent of those polled agreed "that advertising by BP has either hurt the region by continuously reminding people of the [2010 Gulf of Mexico] oil spill, or are an effort to cover up false statements" (Benjamin Alexander-Bloch, New Orleans Times-Picayune, Feb. 11). -- WW

ClimateWire -- Thu., February 13, 2014 -- Read the full edition

1. ADAPTATION: Extreme weather comes to Congress, and the nation

As the second Arctic blast in two weeks began to cover the South with a blanket of ice and snow, more politicians were beginning to wonder what governments can't do to better protect citizens against unusual weather.

2. CLIMATE AND WEATHER: U.K. probes the causes of the strangest, wettest winter 'in more than 248 years'

As Great Britain finds itself in the clutches of an extreme weather event, its scientists are inching closer to attributing this winter's unusual spate of floods and storms to climate change. As usual, however, they are moving cautiously.

TODAY'S STORIES

- 3. BUSINESS: U.S. defense contractor to build world's largest wave energy project in Australia
- 4. AGRICULTURE: Technology tools could prevent future hunger -- report
- 5. NEGOTIATIONS: U.S. calls for a shift in the path of climate negotiations
- 6. RESEARCH: Scientists clear major hurdle to achieving viable fusion -- report
- 7. BUSINESS: Automaker creates carbon market to drive down college campus emissions
- 8. COAL: Wash, will consider climate impacts of Longview coal terminal
- 9. ADVOCACY: Many groups denying climate change funded with billions in 'dark money' -- study
- 10. AUTOS: Toyota recalls 1.9M Prius vehicles because of programming glitch
- 11. ELECTRICITY: Germany's renewable energy boom creates havoc for Austria's power grid
- 12. RISK: Economist says carbon tax is tough but crucial climate solution

E&ETV's OnPoint

13. GRID: ITC Holdings' Blair discusses consumer influence in shaping future of transmission, electric markets

EnergyWire -- Thu., February 13, 2014 -- Read the full edition

1. UTILITIES: Stakeholders see a 'sea change' in attitudes over business model

The midwinter meeting of the nation's utility czars ended yesterday with a surprising kumbaya moment when the lobby for investor-owned electric utilities and the Natural Resources Defense Council issued a joint statement in support of new state-level rate regimes that allow continuing expansion of solar power while keeping utilities financially whole and able to maintain the grid.

ELECTRIC UTILITIES

- 2. SECURITY: White House framework tackles cyber siege on critical infrastructure
- 3. GRID: Still-evolving energy storage industry benefits from new FERC rules
- 4. ELECTRICITY: Petroleum-ready power plants bailed out Northeast operators last month -- report

OIL, GAS AND COAL

- <u>5. OFFSHORE DRILLING: Calif. commission seeks more say over fracking in</u> federal waters
- 6. ARCTIC: Fewer tools, more shipping traffic add to oil spill challenges
- 7. PRODUCTION: U.S. indie exits an energy frontier

8. PEOPLE: Halliburton executive appointed CEO of offshore firm
9. PEOPLE: Anadarko announces board changes
10. BAKKEN SHALE: Pipeline spill could take 2 years to clean up
11. NATURAL GAS: China finds gas field that can supply whole country for 2 years
12. TRANSPORT: Minn. officials worry about oil train preparedness
13. TRANSPORT: N.D. rail company promises to clear logiam caused by oil shipments
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